

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, MAY 15, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
DEAN AUSILIO, VICE CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
CHARLES OLIVER, MEMBER
JOA PENZIEN, MEMBER
ARNOLD THOEL, MEMBER
DEBORAH ZOLNOSKI, MEMBER

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jerome Schmeiser, Planning Consultant
(Additional attendance on file at the Clerk's Office)

Chairman GALLAGHER called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the entire Commission was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and any additions, corrections or deletions were discussed and made.

MOTION by PENZIEN seconded by AUSILIO to approve the agenda as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES


3. The minutes of the previous meeting held on May 15, 2007 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by OLIVER seconded by THOEL to approve the minutes of the meeting of May 15, 2007 as presented.

MOTION carried.

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AGENDA ITEMS

4.  **Revised Site Plan; Kroger at Macomb Park;** Located on the southwest corner of 26 Mile Road and Romeo Plank Road; Section 6; Romeo Plank Commons, LLC, Petitioner. Permanent Parcel No. 08-06-200-049.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. David Adams, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by AUSILIO seconded by PENZIEN to approve the Revised Site Plan for the Kroger at Macomb Park; Located on the southwest corner of 26 Mile Road and Romeo Plank Road; Section 6; Romeo Plank Commons, LLC, Petitioner. Permanent Parcel No. 08-06-200-049 with the FOLLOWING standard conditions of the Planning Commission, including:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.

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6. **Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.**
7. **That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.**
8. **An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
9. **The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.**
10. **That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).**
11. **That the signs shall be constructed as follows; with one fronting on 26 Mile—one fronting on Romeo Plank Road. Both signs are to be approved 15 ft. from the respective right-of-way. The 'primary' monument sign will face 26 Mile Road. The sign is approved at 64 sq. ft. and 15 ft. high from grade to the top of the sign. The secondary sign will face Romeo Plank Road. The secondary sign is approved to be 21 sq. ft. and 8 ft. 9 inches high..**
12. **That the petitioner meets with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.**

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13. **MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.**
14. **That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.**
15. **That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.**
16. **That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.**
17. **That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.**
18. **That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.**
19. **That in the case of commercial zones that outdoor storage and display of merchandise is prohibited.**
20. **That all requirements of the Zoning Ordinance be met.**
21. **Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.**

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22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.
24. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.


In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

25. That the site plan shall be revised as follows:
 - To indicate that plastic strips will be installed on all overhead/truck doors and man doors that face either west or south to the residential area in accordance with the Board of Appeals action.
 - To indicate that the size of the gas station building will be a minimum of 700 square feet.
 - To indicate that the site plan will be consistent with the floor plans to indicate the columns across the front of the Kroger store will set back a minimum of 5' from the driveway.
 - That the "Overall Site Plan Sheet" must be revised to label the gas station as Unit 8 to be consistent with the Condominium Unit Plan.

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MOTION carried.

5.  **Ground Sign; Kroger at Macomb Park;** Located on the southwest corner of 26 Mile Road and Romeo Plank Road; Section 6; Romeo Plank Commons, LLC, Petitioner. Permanent Parcel No. 08-06-200-049.


Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. David Adams, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by KOEHS seconded by THOEL to approve the Ground Sign for the Kroger at Macomb Park; Located on the southwest corner of 26 Mile Road and Romeo Plank Road; Section 6; Romeo Plank Commons, LLC, Petitioner. Permanent Parcel No. 08-06-200-049 with the standard conditions of the Planning Commission, including:

1. That Section 10.0319 of the Zoning Ordinance be met.
2. That the surface area of one side of the sign be limited to 32 square feet.
3. That a \$500 cash bond be posted assuring the installation of the sign as approved.

MOTION carried.

6.  **Ground Sign; St. John Medical Center;** Located on the south side of 23 Mile Road, ¼ mile west of Romeo Plank Road; Section 20; J.L. Geisler Corporation, Petitioner. Permanent Parcel No. 08-20-200-031.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Jerry Geisler, representing the petitioner, was also present to answer any questions which the Commission might have.


MOTION by AUSILIO seconded by PENZIEN to approve the Ground Sign; St. John Medical Center; Located on the south side of 23 Mile Road, ¼ mile west of Romeo Plank Road; Section 20; J.L. Geisler Corporation, Petitioner. Permanent Parcel No. 08-20-200-031 with the standard conditions of the Planning Commission, including:

1. That Section 10.0319 of the Zoning Ordinance be met.

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2. That the surface area of one side of the sign be limited to 32 square feet.
3. That a \$500 cash bond be posted assuring the installation of the sign as approved.

MOTION carried.


7.  **Special Land Use; Verizon Wireless #848 Co-Location;** Located on the east side of Hayes Road, ½ mile north of 22 Mile Road; Section 19; Tele-Site, Inc., Petitioner. Permanent Parcel No. 08-19-300-012.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Ben Herrick, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by KOEHS seconded by THOEL to approve the Special Land Use for Verizon Wireless #848 Co-Location; Located on the east side of Hayes Road, ½ mile north of 22 Mile Road; Section 19; Tele-Site, Inc., Petitioner. Permanent Parcel No. 08-19-300-012 with the following conditions of the Planning Commission:

MOTION carried.

8.  **Site Plan; Verizon Wireless #848 Co-Location;** Located on the east side of Hayes Road, ½ mile north of 22 Mile Road; Section 19; Tele-Site, Inc., Petitioner. Permanent Parcel No. 08-19-300-012.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Ben Herrick, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by KOEHS seconded by PENZIEN to approve the Site Plan for Verizon Wireless #848 Co-Location; Located on the east side of Hayes Road, ½ mile north of 22 Mile Road; Section 19; Tele-Site, Inc., Petitioner. Permanent Parcel No. 08-19-300-012 with the following conditions:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.

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2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.

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9. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
10. That all signs be designated on the site plan and meet the Township requirements.
11. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
12. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
13. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
14. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
15. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit two (2) plans on 11" x 17" paper.
16. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
17. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
18. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited.

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19. That all requirements of the Zoning Ordinance be met.
20. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
21. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.
23. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

24. That all lawn areas must be developed in accordance with the zoning ordinance section 10.2402-B-6 which refers to the landscaping design standards of the Township Land Division Ordinance; Sec. 17-162-(b)(11) as amended which provides that all areas must be sodded with pre-grown grass which include the areas of the property which also includes the road right-of-way.

MOTION carried.

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9.  **Preliminary Plan; Wingfield Estates Site Condominiums;** Located on the north side of 22 Mile Road, east of Garfield Road; Section 20; GTR Properties/22 Mile Properties, Petitioner. Permanent Parcel No. 08-20-300-002.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Chris Cousino, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by AUSILIO seconded by PENZIEN to approve the Preliminary Plan for the Wingfield Estates Site Condominiums; Located on the north side of 22 Mile Road, east of Garfield Road; Section 20; GTR Properties/22 Mile Properties, Petitioner. Permanent Parcel No. 08-20-300-002 with the following conditions:

1. The petitioner shall prepare and submit engineering plans to the Township Engineer for the required approvals from the following agencies in compliance with the State Condominium Act and Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:
 - a. Macomb County Road Commission
 - b. Office of Public Works Commission of Macomb County
 - c. Macomb County Health Department
 - d. Macomb County Planning Commission
 - e. Michigan Department of Environmental Quality
 - f. All public utility companies affected.
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.
2. The Township Engineer approves all engineering plans for the computed plan.
3. That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the preliminary plan approval be met.
5. That all public street drain crossings within the boundaries of the Tentative Preliminary Plat shall be provided with public sidewalks on

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both sides of the street and installed in accordance with 17-145 (10) of the Macomb Township Code.

- 6. That all sites meet the requirements of the Township Zoning Ordinances.**
- 7. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further the MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.**
- 8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.**
- 9. That the unrecorded Master Deed be approved by the Township Attorney and Township Assessor prior to acceptance of the Final Plan Application.**
- 10. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plan. That the petitioner submits (2) copies of the plan to the Supervisors office for addressing. Addresses will be assigned after final preliminary plan approval by the Township Board.**
- 11. That the landscape areas be identified as a common area in the Master Deed. Further, that a bond in the amount to be determined by the Township Consulting Engineer be posted. The bond shall be posted prior to receiving construction permits from the Water/Sewer Department.**
- 12. That the preliminary approval expires one year from the date of Township Board approval.**
- 13. If a 'phasing plan' has not been submitted it is assumed that this plan will be developed in one phase. Please be advised that any revisions to the phasing plan for this plan must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Preliminary Plan as a Revised Preliminary Plan.**

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14. That the preliminary approval expires one year from the date of Township board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any request for extension must be received by this office prior to the expiration date.
15. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
16. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. (In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.)

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.


In connection with splitting, combining or otherwise amending the site plan, that any master deeds prepared in connection with said site plan be amended. The amended master deed, including Exhibit B documents, must be submitted to the Township Clerk's Office for review in accordance with Township procedures. The recorded document must be received prior to issuance of building permits.

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The same procedure would follow for a revision to the site plan.

17. **That all lawn areas must be developed in accordance with the zoning ordinance section 10.2402-B-6 which refers to the landscaping design standards of the Township Land Division Ordinance; Sec. 17-162-(b)(11) as amended which provides that all areas must be sodded with pre-grown grass which include the areas of the property which also includes the road right-of-way.**

MOTION carried.

10.  **Temporary Ground Sign; CVS Pharmacy #75015;** Located on the southeast corner of 23 Mile Road and North Avenue; Section 24; SignArt, Inc., Petitioner. Permanent Parcel No. 08-24-101-001.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.


Ms. Eleanor Heacock, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by OLIVER seconded by ZOLNOSKI to approve the Ground Sign for the CVS Pharmacy #75015; Located on the southeast corner of 23 Mile Road and North Avenue; Section 24; SignArt, Inc., Petitioner. Permanent Parcel No. 08-24-101-001 with the following conditions of the Planning Commission:

1. **That Section 10.0319 of the Zoning Ordinance be met.**
2. **That the surface area of one side of the sign be limited to 32 square feet.**
3. **That a \$500 cash bond be posted assuring the installation of the sign as approved.**
4. **That the petitioner submit a revised site plan indicating a setback of 90' from the centerline of North Avenue.**
5. **The temporary approval to expire within 1 year.**

MOTION carried.

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11.  **Extension of Time; Tentative Preliminary Plat; Battaglia Subdivision;** Located on the east side of North Avenue, approximately ¼ mile north of Hall Road; Section 36; LehnerFindlan Associates, Petitioner. Permanent Parcel No. 08-36-303-024.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Bill Thompson, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by KOEHS seconded by AUSILIO to approve the Extension of Time for the Tentative Preliminary Plat; Battaglia Subdivision; Located on the east side of North Avenue, approximately ¼ mile north of Hall Road; Section 36; LehnerFindlan Associates, Petitioner. Permanent Parcel No. 08-36-303-024.

MOTION carried.

12.  **Revised Site Plan; Heydenreich Retail Center #3;** Located on the north side of Hall Road east of Heydenreich Road; Section 34; Altantis Management Company, Petitioner. Permanent Parcel No. 08-34-351-003.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Thomas Elkins, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by KOEHS seconded by AUSILIO to approve the Technical Change for the Site Plan of the Heydenreich Retail Center Unit #3; Located on the north side of Hall Road east of Heydenreich Road; Section 34; Altantis Management Company, Petitioner. Permanent Parcel No. 08-34-351-003 with the following conditions:

1. **The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.**
2. **The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or**

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properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.

- 3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones (a cobblestone measuring 3-8" in diameter are allowed) or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.**
- 4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.**
- 5. Sidewalks to be provided to the satisfaction of the Township Engineer.**
- 6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.**
- 7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.**
- 8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
- 9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped**

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approved Site Plan Drawing to help determine the readiness for release of said bond.

10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That all signs be designated on the site plan and meet the Township requirements.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.

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19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited.
20. That all requirements of the Zoning Ordinance be met.
21. If the matter being considered is a revised site plan, then all conditions of the earlier approval that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
24. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture.
25. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. (In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.)

This approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

In connection with splitting, combining or otherwise amending the site plan, that any master deeds prepared in connection with said site plan be amended. The amended master deed, including Exhibit B documents, must be submitted to the Township Clerk's Office for


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review in accordance with Township procedures. The recorded document must be received prior to issuance of building permits.

The same procedure would follow for a revision to the site plan.

26. That all lawn areas must be developed in accordance with the zoning ordinance section 10.2402-B-6 which refers to the landscaping design standards of the Township Land Division Ordinance; Sec. 17-162-(b)(11) as amended which provides that all areas must be sodded with pre-grown grass which include the areas of the property which also includes the road right-of-way.
27. That all condominium documents including the master deed and exhibits be approved by the Macomb Township Attorney and Macomb Township Assessor.
28. That any further splitting or division of the property meets the standards of the zoning ordinance.
29. That the gate for the dumpster area be redesigned to prohibit its swinging motion entering into the parking space adjacent to it.
30. With respect to the petitioner's notation that the east curb line is located on the property line it is suggested that the petitioner's engineer survey the property and note in the field the correct location of the property line so it can be determined if the required 4' between the curb line and the property line exists. In order to comply with the zoning ordinance, there must be a 4' landscape strip between the curb line and the property line.

MOTION carried.

13.  **Request for Extension of Time; Preliminary Plan for Strawberry Fields Site Condominiums;** Located on North side of 22 Mile Road, east of Hayes Road; Section 19; Fazal Khan & Associates. Permanent Parcel No. 08-19-400-001

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Ms. Stacy Cerget, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by KOEHS seconded by OLIVER to approve the Request for Extension of Time for the Preliminary Plan for Strawberry Fields Site

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**Condominiums; Located on North side of 22 Mile Road, east of Hayes Road;
Section 19; Fazal Khan & Associates. Permanent Parcel No. 08-19-400-001.**

MOTION carried.

14. Motion to receive and file all correspondence in connection with this agenda.

**MOTION by PENZIEN seconded by AUSILIO to receive and file all
correspondence in connection with this agenda.**

MOTION carried.

PLANNING CONSULTANTS COMMENTS

PLANNING COMMISSIONERS COMMENTS

ADJOURNMENT

**MOTION by OLIVER seconded by PENZIEN to adjourn the Planning
Commission meeting at 8:18 p.m.**

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
Planning Commission Secretary